

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MB Docket No. 03-156
Table of Allotments,)	RM-10721
Digital Television Broadcast Stations.)	
(Laredo, Texas))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: October 4, 2005

Released: October 11, 2005

By the Chief, Video Division, Media Bureau:

1. The Video Division has before it a *Notice of Proposed Rule Making*¹ issued in response to a petition for rule making filed by Eagle Creek Broadcasting of Laredo, LLC ("Eagle Creek"), licensee of station KVTU-TV, Laredo, Texas, requesting the substitution of DTV channel 31 for KVTU's assigned DTV channel 14. Eagle Creek filed comments. No other comments were received.

2. Eagle Creek filed comments stating that the adoption of its proposal will serve the public interest by eliminating the potential for interference to the land mobile radio service base stations and receivers operating on frequencies adjacent to KVTU's DTV channel 14. Eagle Creek also restated its intention to apply for DTV channel 31, if allotted.

3. DTV channel 31 can be allotted to Laredo, Texas, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 27-31-19 N. and 99-31-13 W. Since the community of Laredo is located within 275 kilometers of the U.S.-Mexico border, concurrence from the Mexican government has been obtained for this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station KVTU-DT with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
TX Laredo	31	200	262	140

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective November 25, 2005, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

¹ *Laredo, Texas*, 18 FCC Rcd 13099 (2003).

CityChannel No.

Laredo, Texas

15, 19, 31

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Eagle Creek Broadcasting of Laredo, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 31 in lieu of DTV Channel 14 for station KVTU-DT.

6. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A).

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

8. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau